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8 Attorneys for Plaintiff

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA, ) No. CR 07-00722 HRL  
14 Plaintiff, )  
15 v. ) STIPULATION AND [PROPOSED]  
16 WILLIAM LESTER JOHNSEN, ) ORDER EXCLUDING TIME  
17 Defendant. ) SAN JOSE VENUE  
18 \_\_\_\_\_)

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20 On March 13, 2008, the parties in the above-captioned case appeared before the Court for a  
21 status hearing. At that appearance, Assistant Federal Public Defender Manuel Araujo explained  
22 to the Court that he had provided some of the defendant's medical records to the government in  
23 order to assist in reaching a resolution to the case. The parties then requested that the Court  
24 continue the case for a status conference on April 17, 2008 in order for the parties to review the  
25 defendant's records. Assistant United States Attorney Susan Knight requested an exclusion of  
26 time under the Speedy Trial Act from March 13, 2008 to April 17, 2008. The defendant, through  
27 AFPD Manuel Araujo, agreed to the exclusion. The undersigned parties agree and stipulate that  
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1 an exclusion of time is appropriate based on the defendant's need for effective preparation of  
2 counsel.

3 SO STIPULATED: JOSEPH P. RUSSONIELLO  
4 United States Attorney

5 DATED: 3/21/08 /s/  
6 SUSAN KNIGHT  
7 Assistant United States Attorney

8 DATED: 3/21/08 /s/  
9 MANUEL ARAUJO  
10 Assistant Federal Public Defender

11 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded  
12 under the Speedy Trial Act from March 13, 2008 to April 17, 2008. The Court finds, based on  
13 the aforementioned reasons, that the ends of justice served by granting the requested continuance  
14 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant  
15 the requested continuance would deny defense counsel reasonable time necessary for effective  
16 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
17 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

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21 DATED: \_\_\_\_\_ NANDOR J. VADAS  
22 United States Magistrate Judge  
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